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Message Text

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ORIGIN ARA-14

INFO OCT-01 ISO-00 L-03 SS-15 JUSE-00 CA-01 CIAE-00
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DRAFTED BY ARA/MEX:D.E.SIMCOX:MRG
APPROVED BY ARA:S.A.SHELTON
L:H.HANSELL
C:I.WOLF
JUSTICE:D.MEISSNER (SUBS)
CA:B.WATSON
----------129626 200141Z /73
P 200031Z JUN 78
FM SECSTATE WASHDC
TO AMEMBASSY MEXICO PRIORITY

C O N F I D E N T I A L STATE 156028

E.O. 11652: GDS

TAGS: ELAB, SGEN, MX, US

SUBJECT: MEXICAN AMBASSADOR'S DISCUSSION OF MIGRANT LABOR AGREEMENT

1. MEXICAN AMBASSADOR MARGAIN OFFERED LUNCH JUNE 13 FOR MEMBERS OF INFORMAL INTER-AGENCY WORKING GROUP ON IMMIGRATION LEGISLATION. PRESENT WERE LEGAL ADVISER HANSELL, COUNSELOR NIMETZ, ASSISTANT SECRETARY WATSON, COMMISSIONER CASTILLO, SALLY SHELTON, DAVE SIMCOX AND VICTOR VILAPLANA OF STATE, DORIS MEISSNER AND RAY CALOMARO OF JUSTICE AND CHUCK KNAPP OF LABOR. IN INFORMAL AND OFF-THE-RECORD PRESENTATION DURING LUNCH, MARGAIN MADE FOLLOWING POINTS REGARDING NECESSITY FOR US TO CONSIDER WORKING TOWARD A BILATERAL MIGRANT LABOR AGREEMENT (HE WARNED THAT USE OF TERM "BRACERO" WOULD BE PREJUDICIAL).
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2. TRACING HISTORY OF MIGRANT LABOR COOPERATION, MARGAIN NOTED THAT ORIGINAL AGREEMENT IN 1942 HAD BEEN A U.S. INITIATIVE AND THAT MEXICO HAD ENTERED IT RELUCTANTLY AND ONLY AFTER NECESSARY ASSURANCES THAT ITS WORKERS IN U.S. WOULD BE PROTECTED AGAINST MISTREATMENT OR MILITARY CONSCRIPTION. THE MIGRANT LABOR SITUATION, IN THE

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AMBASSADOR'S TERM, BECAME "CHAOTIC" IN 1965 FOLLOWING THE END OF THE MIGRANT LABOR AGREEMENT. HE ADDED THAT WHAT

WAS, AND IS, A BILATERAL SITUATION DOES NOT LEND ITSELF TO UNILATERAL SOLUTIONS, THOUGH HE RECOGNIZED U.S. RIGHT TO CONTROL IMMIGRATION INTO ITS TERRITORY.

3. MARGAIN ALSO RECALLED THAT U.N. POPULATION CONFERENCE AT BUCHAREST IN 1974 HAD ADOPTED RESOLUTION CALLING ON COUNTRIES THAT CUSTOMARILY EXPERIENCE MUTUAL FLOW OF MIGRANT WORKERS TO CONCLUDE AGREEMENTS AMONG THEMSELVES TO PROTECT AND REGULATE THOSE WORKERS, WHILE UN HUMAN RIGHTS COMMISSION SHOULD BE CONCERNED WITH MIGRANTS' HUMAN RIGHTS.

4. MARGAIN STRESSED VIEW THAT UNDOCUMENTEDS TAKE ONLY UNWANTED JOBS AND DO NOT DISPLACE AMERICAN WORKERS. HE CLAIMED THEY HAVE STRONGER INCENTIVE TO WORK THAN DO U.S. WORKERS, WHO ARE SO WELL PROTECTED BY LAW. MEXICO, HE CONTINUED, DOES NOT WANT TO SEE ITS WORKERS REMAIN PERMANENTLY IN THE U.S., THOUGH MANY UNDOCUMENTEDS WHO WOULD OTHERWISE GO AND COME ARE FORCED TO REMAIN BECAUSE OF THE WORKINGS OF OUR IMMIGRATION LAW. PROPER AGREEMENT WOULD ALLOW THEM TO GO AND COME WITH NATURAL MIGRATORY CYCLE. HE CONCLUDED BY SUGGESTING THAT WE THINK IN TERMS OF A BILATERAL AGREEMENT AND BEGIN THE PROCESS WITH A CONFIDENTIAL

MEETING OF U.S. AND MEXICAN TECHNICAL EXPERTS WHO COULD DEVELOP AGREED CONCEPTS AND EVEN ULTIMATELY PRODUCE A WORKING DRAFT. AN AGREEMENT, HE COMMENTED, WOULD SOLVE PROBLEM OF PULL FACTORS, I.E., THE "VACUUM" IN THE U.S. LABOR MARKET. MEANWHILE, MEXICO IS WORKING ON THE "PUSH" FACTORS. IN THIS RESPECT, HE SPOKE OPTIMISTICALLY OF SUCCESSES OF PIDER IN HOLDING POTENTIAL MIGRANTS ON THE LAND AND SAID THAT FUTURE OIL REVENUES WILL ALLOW MEXICO TO FURTHER EXTEND PIDER'S COVERAGE.

5. MARGAIN ADDRESSED THE QUESTIONS OF WHETHER UNDOCUMENTEDS WOULD CONTINUE TO COME IN IF AGREEMENT REACHED, OR WHETHER THOSE WHO ENTERED UNDER AGREEMENT WOULD GO UNDERGROUND AND REMAIN FOLLOWING THEIR CONTRACT PERIOD. HE BELIEVED MUCH WOULD DEPEND ON SCOPE OF THE AGREEMENT AND SITUATION IN TWO COUNTRIES AT THE TIME. IF AGREEMENT WERE LARGE ENOUGH -- HE CITED WAYNE CORNELIUS' TARGET FIGURE OF 800 THOUSAND YEARLY -- IT WOULD COVER NATURAL FLOW. REASONABLE ASSURANCE OF SUBSEQUENT RECONTRACTING WOULD BE ENOUGH INCENTIVE TO TEMPORARY WORKERS TO RETURN HOME.

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6. SEVERAL PARTICIPANTS TOOK NOTE OF CONTINUING STRONG DOMESTIC OPPOSITION, PARTICULARLY IN U.S. LABOR MOVEMENT, TO RESUMPTION OF MIGRANT LABOR AGREEMENT. HANSELL NOTED

NON-COMMITTALLY THAT AMBASSADOR'S IDEAS WERE SOMETHING TO CONSIDER. NIMETZ NOTED THAT SOONER OR LATER U.S. AND MEXICO WILL HAVE TO REACH LONG TERM AGREEMENT ON THE FLOW OF PEOPLE, THOUGH THIS WOULD NOT NECESSARILY BE A MIGRANT LABOR AGREEMENT.

7. COMMENT: WHILE WE AWARE OF REPORTS FROM EMBASSY THAT ROEL AND OTHER MEXICAN OFFICIAS DO NOT FAVOR SEEKING MIGRANT LABOR AGREEMENT AT THIS TIME, WE NOTE THAT MARGAIN SEEMED QUITE CONFIDENT IN EXPLICITLY ADVOCATING CONFIDENTIAL

AGREEMENT, EVEN TO EXTENT OF PROPOSING DEFINITE WORKING-LEVEL TALKS. WE WOULD WELCOME ANY COMMENTS ON APPARENT CONTINUING LACK OF SYNCHRONIZATION OF GOM POLICY ON THIS ISSUE.

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